## **State Records Committee Meeting**

Date: December 15, 2022 Time: 9:00 a.m. – 4:00 p.m.

## **Committee Members Present:**

Kendra Yates, State Archivist Designee Nancy Dean, Chair pro tem, Political Subdivision Representative Mark Buchanan, Private Sector Records Manager Ed Biehler, Electronic Records and Databases Representative Linda Petersen, Media Representative

## **Committee Members Attending Remotely:**

Nova Dubovik, Citizen Representative Marie Cornwall, Citizen Representative

#### **Committee Members Absent:**

Kenneth Williams, Chair, State Archivist

## Legal Counsel:

Brian Swann, Assistant Attorney General Michelle Adams, Paralegal

## **Executive Secretary:**

Rebekkah Shaw, Utah State Archives

## Others Present Online or In Person (parties to the hearings listed first):

Jamie Blakeley, Attorney, Vineyard

Pam Spencer, Vineyard

Shawn Herring, petitioner

Jacob Holdaway, petitioner

Blaine Thomas, Assistant Attorney General, Dpt. Health & Human Services

Rich Jorgensen, Assistant Attorney General, Department of Public Safety

Judith Zimmerman, petitioner

Lonny Pehrson, Assistant Attorney General, Attorney General's Office

Paul Amann, petitioner

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Adam Johnson

Amanda Slater

Amber Rasmussen

Angela Mourik

Anon Ymous

Ashlee Herring

Ben Abbott

Bethany Bee

BJ Mitchell

Brian Bradford

Brian Maffly

Cache Hancey

Caitlin Wright

Candee Allred

**CCondie** 

**Chris Bramwell** 

Christian VanCott

Cindy Gubler

**Daniel Burton** 

**David Francis** 

David Keller

**David Lauret** 

**David Pearce** 

David Quealy

**Debbie Watts** 

Debra Bills

Dianna Sanchez

Doug Drury

Elizabeth Holdaway

**Emily Kofoed** 

Eric Stott, Department of Health and Human Services

Evan Reyne

Geoffrey Wixom

James Brooks

Jamie Brooks

Jan Schiffman

Jeff Knighton

Jeff Thomsen

Jim Schiffman

Josh Schiffman

Julie L.

Katelyn Boswell

Kaye Nelson

Kelley Godbold

Kent Singleton

Kristal Price

Kyle Dunphey

Kyle Lunt, Department of Health and Human Services

Lorette Beck

Marianne Swenson, on behalf of Azlen Marchet

Mark Allen

Mark Legerski

Micah Vorwaller

Nicholas Preston

Noelia Holdaway

Peggy Climenson

Philip Jensen

Rachel Stevens

Richard Foggio

Rosemary Cundiff, Archives

S. George

Sam Braegger

Sam Denney

Skyle Dunphey

Steven Onysko

Tangee Sloan

Tim Heaton

Tristy Lee

Veonardo Messi

Virgie Day

Yvonne Drake

## Agenda:

- o Seven Hearings Scheduled
  - Chad Lambourne v. Daggett County Sheriff (2022-184)
  - Judith Zimmerman v. Dept. of Health and Human Services (2022-186)
  - o Paul Amann v. Attorney General Office (2022-163)
  - o Paul Amann v. Attorney General Office (2022-164)
  - o Paul Amann v. Attorney General Office (2022-165)
  - Shawn Herring & Jacob Holdaway v. Vineyard Town (2022-145)
  - o Jeff Wetsel v. Price City Police Dept. (2022-60)
- o Business
  - o 2:00 pm: Address order #22-48, action item
  - o Approval of November 17, 2022, SRC Minutes, action item
  - o Administrative Rules, action item
  - o SRC appeals received and declined, notices of compliance, and related action items
  - o Cases in district court, report
  - o Committee members' attendance polled for next meeting, format and quorum verification

## Call to Order

The Chair pro tem called the meeting to order at 9:05.

## 1. Chad Lambourne v. Daggett County Sheriff (2022-184)

Ms. Shaw informed the Committee that this appeal was withdrawn the previous day.

## 2. Judith Zimmerman v. Dept. of Health & Human Services (2022-186)

## **Petitioner Statement:**

Dr. Zimmerman stated that she asked for records showing who has been given her personal identifying information and under what authority it was released. She stated that she is a former public health manager and has worked on the registry for autism and disabilities. She stated that she knows what she is seeking can be accessed quickly.

Dr. Zimmerman stated her request was denied due to lack of specificity. She stated that she tried to contact the record officer to clarify the request but received no response. She stated that she included additional specific information in her appeal to the Chief Administrative Officer who considered it a new request and sent it back to the record officer.

Dr. Zimmerman explained her reasons for the request. She stated she is working to show that the department is sharing private information without consent. She stated her name, phone number, and medical information was shared with researchers at the University of Utah and she's concerned who else her information was given to. She stated the Department of Health shares information with Salt Lake City Police which ends up on evidence.com.

Dr. Zimmerman stated medical status can be used to discriminate based on vaccination status, pregnancy, and other medical identifiers. She stated there is confusion about who owns PII when it's shared.

#### **Questions from the Committee:**

The Committee asked if it's possible the entity was confused by the request because it included a list of search terms. Dr. Zimmerman stated she wants to know what 3rd parties have her information and why they have her information. She wants a record that identifies who got the information, and what was shared.

The Committee asked if her understanding is that her information could be in multiple data sets or if it's one data set shared with multiple parties. Dr. Zimmerman stated the department created a mass index that gives unique identifiers for each person. The Department of Health links records together from multiple data sets. She stated that she gave the Committee a list of datasets that the department has, but the respondent would know what they have.

The Committee asked if records are still being provided in response to her second attempt to submit the request. Dr. Zimmerman stated there's confusion over the process because the Chief Administrative Officer saw the appeal as a new request and sent it back to the record officer. She stated that she appreciates what she has received to date, but it has not answered her question.

## **Respondent statement:**

Mr. Thomas stated that there has not been a specific request. He stated if Dr. Zimmerman knows what database the information is in, it would make the record officer's job much easier. He stated there was no denial of any records.

Mr. Thomas stated that Dr. Zimmerman treated her request as an amendable document which is difficult when the department has a limited time to respond. He asked the Committee not to create a precedent that respondent needs to answer evolving requests.

Mr. Thomas stated that the request had a list of entities who received her information and a series of questions. He stated that questions are not record requests. He stated the only record she's seeking is a list. The date range is 70 years. He stated the request is broad. He stated it was a request for the department to do research for her. He stated no list exists. He stated that creating the list would prevent employees from fulfilling their regular duties to create the record. He stated that they are not required to create a record or do research for the requester.

Mr. Thomas stated that the initial response from the record officer stated the request lacked specificity and provided information that would help narrow the request. The response also stated the list likely did not exist. He reviewed the Committee's decision #22-09.

Mr. Thomas stated that the appeal to the Chief Administrative Officer (CAO) was not clear. Mr. Stott stated in the response that there was no basis for her appeal and that her appeal was a new request. He stated GRAMA is not set up for the CAO to answer a new request on appeal.

Mr. Thomas stated it would be impossible to confirm what data has been shared because each record would have to be checked. It would be a lot of work. He stated they provided a memorandum of understanding showing how data was shared to help Dr. Zimmerman narrow her request.

#### Witness statement:

The Chair swore in Dianna Sanchez, the record officer, and Mr. Kent Lunt.

#### **Questions from the Committee:**

The Committee asked Dr. Zimmerman if her understanding is that if they input her name it would pull up anyone who had access to it. Dr. Zimmerman stated inputting her name would provide her health records, requesters and the data elements they got.

The Committee asked Mr. Lunt if records show who requested records. Mr. Lunt stated that there is no central database to see all the requesters. He stated that requests for data do not list every record included in the data sharing. He said some would have millions of records. He stated that to answer the request, they checked the systems and provided the record sharing agreements.

The Committee asked if there is a list anywhere that says who requested someone's information, such as requesting a copy of their own birth certificate. Mr. Lunt stated they have a copy of GRAMA requests, but there is no easy way to see what agreement was for a specific record. He said they would have to check each sharing agreement and cross check and query everything that fell under that time frame. He stated there is not a person by person list of what agreement covers each individual.

The Committee asked if there is an established process for reviewing and sharing data. Mr. Lunt stated there is. The Committee asked how the process is documented. He reviewed their process. The Committee asked how each step is documented. Mr. Lunt stated they currently use SharePoint, but he can't speak to how it was documented before that.

The Committee asked Ms. Sanchez to describe her search to determine the list may not exist. She reviewed her process.

The Committee asked if the respondent has documentation about how their data is mapped. Mr. Lunt stated each dataset has a data map, but it is not specific to individuals. He explained their systems are siloed and do not communicate with each other. The Committee asked if there is an inventory of the databases. Mr. Lunt stated they had started to make a list but it was abandoned when the department was combined with the Department of Human Services.

## **Petitioner Closing Statement:**

Dr. Zimmerman stated the records she is seeking show what information of hers was shared with a third party. She stated she gave them three databases that she knows are routinely shared along with search terms. She stated some record sharing contracts are clear, but not all of them.

## **Respondent Closing Statement:**

Mr. Thomas stated that the law does not require the respondent to create a record even if the record should exist. He stated that the department is not required to research for a record request.

## **Questions from the Committee:**

The Committee asked if the department has a list of the databases they manage or use. Mr. Lunt stated they have worked on one but he is unsure how accurate it is. He stated there is a general description of what the system is and what it's used for.

## **Deliberation:**

The Committee discussed whether a good faith effort was made to determine if responsive records exist.

**Motion** by Dr. Cornwall to deny the appeal. The respondent has done a reasonable search and is not required to create a record per 63G-2-201(8). Seconded by Ms. Dean.

#### Discussion to the motion:

Ms. Petersen expressed concern that the respondent may deny a new request by arguing that it unreasonably duplicates the previous request. She stated the record officer needs to be careful to match the spirit of GRAMA.

The Committee encouraged the respondent to review their process for answering record requests to avoid the confusion that took place in this appeal. The Committee also encouraged the respondent not to consider the new request unreasonably duplicative.

Ms. Yates stated she is not convinced that the respondent did a good enough job to answer the request. She stated the record officer can be in a tough situation because they don't have the resources they need. She asked for a different motion with more nuance to acknowledge some responsive records have not been provided, such as information about the databases and agreements.

**Vote:** Yea: 6. Nay 1. Mr. Biehler, Mr. Buchanan, Ms. Petersen, Dr. Cornwall, Ms. Dean, Ms. Dubovik voted in favor of the motion. Ms. Yates voted against the motion.

Ms. Dubovik left the meeting. Ms. Yates left the meeting.

## 3. Paul Amann v. Attorney General Office (2022-163)

#### **Petitioner statement:**

Mr. Amann stated that he has a standing objection to the attorney general's office representing the Committee. The Chair pro tem asked him to move to the subject of record access.

Mr. Amann stated he is asking the Committee to order the respondent to do a better search for all three cases. He stated Mr. Pehrson determines if the search is reasonable and the court disagreed. He stated the respondent does not have reasonable record keeping. He asked the Committee to order them to search again. He stated a privilege log should have been provided.

Mr. Amann stated the records he's asking for are related to a violation of procurement code. He stated the respondent claims to have complied with procurement code and he seeks records verifying that.

Mr. Amann stated the respondent did not provide information about their search in the statement of facts. He stated there is nothing about what phones were checked for text messages. He stated he previously requested records of policy 2.15F violations but nothing was provided for years until someone found them in a box.

#### **Respondent statement:**

Mr. Pehrson stated that the request is for five categories of items from procurement. He stated the request was not reasonably specific. He stated there were 49 records responsive which shows a reasonable search was done. He stated that there were only three redactions. Mr.

Pehrson stated that litigation is ongoing so the interest of the entity to preserve attorney client privilege is high.

Mr. Pehrson stated that under the Committee's administrative rule, a requester asking for additional records has the burden of proof. He stated that the requester has not met that burden and the appeal should be denied.

Mr. Pehrson stated that record custodians are asked for records before email archives are searched. He stated there is no reason to believe there are text messages for procurement. He stated that GRAMA does not require exhaustive neverending searches.

#### **Questions from the Committee:**

The Committee asked if there are RFPs responsive to the request. Mr. Pehrson stated it was included in the request, but this contract did not go through the RFP process per special provisions in their policy.

The Committee asked if people were asked if they had responsive text messages. Mr. Pehrson stated they were.

## **Petitioner closing statement:**

Mr. Amann stated that the respondent did not follow the policy manual. He stated the contract was for an emergency in 2019. He stated there is a public interest in a contract being provided to friends. Mr. Amann stated the respondent has a poor records management system so it cannot be trusted to do a reasonable search.

## **Respondent closing statement:**

Mr. Pehrson stated if the requester does not believe the respondent can do a reasonable search, then why ask for another search. He stated he is confident all responsive records were located. He stated GRAMA does not require the respondent to certify that additional records do not exist.

#### **Deliberation:**

**Motion** by Dr. Cornwall to go in camera to review the records. Seconded by Mr. Buchanan.

**Vote:** Yea: 5. Nay 0. Mr. Biehler, Mr. Buchanan, Ms. Petersen, Dr. Cornwall, and Ms. Dean voted in favor of the motion.

Ms. Dubovik rejoined the Committee.

**Motion** by Mr. Buchanan that after reviewing the records in camera, the records are properly classified under Utah Code 63G-2-305(17).

**Motion** by Dr. Cornwall to deny the appeal because a reasonable search was made and after reviewing the records in camera, the records are appropriately classified under Utah Code 305(17)(18)(23b). Seconded by Mr. Buchanan.

**Vote:** Yea: 5. Nay 0. Abstain 1. Mr. Biehler, Mr. Buchanan, Ms. Petersen, Dr. Cornwall, and Ms. Dean voted in favor of the motion. Ms. Dubovik abstained.

## 4. Paul Amann v. Attorney General Office (2022-164)

#### **Petitioner statement:**

Mr. Amann provided background to the request. He stated there should be responsive text messages. He stated there should have been an investigation which would have responsive records. He stated Judge Skanchy believes the respondent cannot do a reasonable search. He referenced the Committee's order 15-03 which mentioned doing an additional search.

Mr. Amann asked the Committee to order a better search or have someone certify how the search was done.

## **Respondent statement:**

Mr. Pehrson stated the request is simple. He stated there was no investigation needed for the incident mentioned in the request. He stated the request is for records related to the incident. He stated they asked if anyone had responsive records starting with the executives. He stated that he reviewed the responsive emails himself. He stated not all of them were provided because they were duplicative.

Mr. Pehrson stated that Mr. Amann confuses the Committee with the judicial process. He stated if the requester wants a sworn statement and discovery, he can do that in litigation. Mr. Pehrson stated there is one email address redacted, which is what is challenged.

#### **Questions from the Committee:**

The Committee asked if there was a search done for text messages. Mr. Pehrson stated he asked, but there is not a way to search people's text messages centrally, especially for 8 year old texts. He stated people were asked directly.

## **Petitioner Closing Statement:**

Mr. Amann stated that anything about him should have a litigation hold. He stated that he addressed the burden of proof in his brief.

## **Respondent Closing Statement:**

Mr. Pehrson stated that there was not an investigation. He stated the incident was resolved via email.

#### Deliberation

**Motion** by Mr. Biehler to deny the appeal because a proper search was done and all responsive records were provided. Seconded by Ms. Petersen.

**Vote:** Yea: 6. Nay 0. Mr. Biehler, Ms. Dubovik, Mr. Buchanan, Ms. Petersen, Dr. Cornwall, and Ms. Dean voted in favor of the motion.

## 5. Paul Amann v. Attorney General Office (2022-165)

#### **Petitioner Statement:**

Mr. Amann thanked the Committee for their time. He stated the appeal is regarding a contract with Ray Quinney & Nebeker not following procurement code. He stated that the public has a right to know the details of the contract. Mr. Amann stated there should be a folder containing records of contracts with outside counsel. He stated that is the record he seeks.

## **Respondent statement:**

Mr. Pehrson stated what is before the Committee is a fee waiver. He stated that all records being in one folder is inaccurate. There is extensive work involved to answer the request. He stated the records need to be gathered, including communications which will require redactions.

Mr. Pehrson stated the request is burdensome. He stated the respondent will provide the records, but it should not be at the cost of taxpayers. He stated Mr. Amann has received numerous fee waivers including the other two appeals heard today. Mr. Pehrson stated that a fee waiver appeal does not involve public interest. He stated it would be 25-30 hours of work and asked the Committee to uphold the fee.

## **Questions from the Committee:**

The Committee asked how attorney-client privilege could impact the disclosure of the records. Mr. Pehrson stated that legal services agreements often go into details of the related case.

The Committee asked if the contracts are electronically stored and if metadata would be separate from the provided records. Mr. Pehrson stated that there is no uniform method to engage outside counsel. He stated they are not all in one place so they would have to ask the different division directors who can retain outside counsel as needed. He said they may not all be electronic.

## Petitioner closing:

Mr. Amann stated that the withheld records should be provided. He stated that secretaries could do the redactions in Adobe. He stated the litigation division oversees all litigation so there should be a central location for the records. He stated that a diligent search has not begun.

## Respondent closing statement:

Mr. Pehrson stated that the request is burdensome and broad. He stated the records are not all held by the litigation division. He stated there are numerous divisions addressing all kinds of issues from Medicaid to natural resources and may enter contracts.

#### **Questions from the Committee:**

The Committee asked if any of the search has been done or if the 25-30 hours is a complete estimate. Mr. Pehrson stated they contacted some divisions to get an idea of the volume and used that to make an estimate. The Committee asked if they are asking for \$500 up front and the difference will be refunded if the actual cost does not reach \$500. Mr. Pehrson stated that is correct.

#### **Deliberation-**

The Committee discussed whether the denial of a fee was appropriate.

**Motion** by Ms. Dean to deny the appeal for a fee waiver per Utah Code 63G-2-203(8)(a) and (b). The entity may require a fee if the actual cost is more than \$50. Any amount paid in excess shall be returned to the requester. The entity considered the fee waiver but due to the voluminous nature of the request, the fee waiver denial is upheld. Seconded by Dr. Cornwall.

**Vote:** Yea: 6. Nay 0. Mr. Biehler, Ms. Dubovik, Mr. Buchanan, Ms. Petersen, Dr. Cornwall, and Ms. Dean voted in favor of the motion.

Ms. Yates rejoined the Committee.

# Business Part 1:

## Address order #22-48, action item

Ms. Dean stated the respondent indicated the original order did not address the committee's motion on the subject. The Chair pro tem stated the Committee is withdrawing the order and a new order is needed. The Chair pro tem directed the Executive Secretary to distribute the withdrawal to the parties.

#### Comment from the parties:

Mr. Jorgensen stated the order goes beyond what the Committee discussed and misconstrued arguments the committee did not make. He stated the order should match the draft minutes which show the records fall under another statute per Utah Code 63G-2-201(3).

Mr. Marchet stated that he followed the Committee's advice and sent a new request to Sandy City. Ms. Swenson stated that Sandy Police said they don't have anything.

The updated order will be distributed to the parties.

## 6. Shawn Herring and Jacob Holdaway v. Vineyard Town (2022-145)

#### **Petitioner Statement:**

Mr. Herring shared a powerpoint. He and Mr. Holdaway presented the petitioner statement together.

Mr. Herring reviewed the background leading up to the request. He stated the request is broad. He reviewed his search terms. He stated there are a lot of staff using personal emails and personal phones. He stated there are responsive texts but he was told the city cannot be responsible for personal notes and communications.

Mr. Holdaway stated that the city is financially invested in a project but it was not done transparently. He explained how he found out about Mr. Herring's request.

Mr. Herring stated there are three letters that he knows should be provided.

#### **Questions from the Committee:**

The Committee asked what recourse exists if part of the project approval process was skipped. Mr. Holdaway stated they are working to figure that out.

## **Respondent statement:**

Mr. Blakeley stated that the Committee's mandate is record access denials and there is no requirement for the city to create records. He stated the city identified the scope of the request and conducted a search.

Mr. Blakeley stated 125 records were responsive to the request and provided as public records. He stated three sets are classified as private or protected. One is related to a contract, one is legislation, and the last is attorney-client privilege. He stated this is the appealable issue. He stated the records are appropriately classified. He reviewed Utah Code 63G-2-305(22) and referenced previous decisions from the Committee.

Mr. Blakeley stated there were many search terms and people in the request. The record officer contacted the requester and they agreed to parameters before she searched for responsive records. He stated if the requester believes other records exist, he can make a new request.

## **Questions from the Committee:**

Ms. Spencer was sworn in as a witness.

Ms. Petersen asked how she searched for the records. Ms. Spencer stated she had a few discussions with the requester to narrow the request. She contacted past employees and gave them the parameters of the request. She stated she searched the emails herself. She stated she searched emails, texts, and documents.

The Committee asked if the project in question would have come up in her search for minutes. Ms. Spencer said it would. The Committee asked why Sage Government Solutions records were classified as private as individual finances considering GRAMA defines an individual as a human, and a person can be a corporation. Mr. Blakeley stated that there was tax information that should not be disclosed. He stated it is similar to releasing the social security number for an individual.

The Committee said Ms. Spencer did a great job in her response to the request.

## **Petitioner Closing:**

Mr. Herring stated that he does not know if the cell phones were searched. He stated Sage Government Solutions is not an individual so the respondent cannot use Utah Code 63G-2-302(2)(b) to withhold information. He stated two emails were classified protected under Utah Code 63G-2-305(17) and he cannot tell if it was classified correctly. He asked the Committee to review the record.

Mr. Herring stated the emails regarding draft legislation should be provided because city employees are not members of the legislature therefore the record cannot fall under Utah Code 63G-2-305(19) or 63G-2-305(20)(a).

Mr. Herring stated the text messages between the mayor and former employees should be provided without a new request. He stated they fall under the appeal. He stated there should be more responsive records.

#### **Questions from the Committee:**

The Committee asked how he knows text messages exist. Mr. Holdaway stated they were read to him by a city employee.

The Committee asked if he asked for the Lake Shore Improvement project grant applications. Mr. Herring stated he did not request that specifically. Mr. Holdaway stated the request was for anything related to Lake Shore Improvement.

## **Respondent Closing:**

Mr. Blakeley stated that no records of the conversations Mr. Holdaway claims happened have been available to him, including who he talked to. He stated he doesn't know if any of it is true. He stated he learned about text messages when a city employee was invited to a zoom meeting and someone was in the meeting identified as "a member of the State Records Committee". He stated he knew no one on the Committee was on the call therefore the Committee should be cautious in considering Mr. Holdaway's statements.

Mr. Blakeley stated the hearing is about records. He stated the city had responded in good faith.

#### **Questions from the Committee:**

The Committee asked if the city uses Gmail Business Suite and has records management policies for the email. Ms. Spencer stated the mayor is the only one still using Gmail and everyone else is on Outlook Business Suite. The Committee asked if the mayor's correspondence was searched for responsive records. Ms. Spencer confirmed they were. Mr. Blakeley stated the city has a current record retention policy.

#### **Deliberation:**

**Motion** by Dr. Cornwall to go in camera. Seconded by Ms. Yates.

**Vote:** Yea: 6. Nay 1. Mr. Biehler, Ms. Yates, Mr. Buchanan, Ms. Petersen, Dr. Cornwall, and Ms. Dean voted in favor of the motion. Ms. Dubovik voted against the motion.

The Committee discussed whether they believed a previous legislative session draft is still protected if there is a final bill.

Ms. Yates asked what the justification is for attorney-client privilege on Bates stamp #90. Mr. Blakeley stated the attachment is classified as protected.

The Committee discussed the existence of responsive text messages.

**Motion** by Dr. Cornwall to grant the appeal in part. The redacted W-9 should be released with the Federal ID number redacted per Utah Code 63G-2-305(2). The withheld email is protected under Utah Code 63G-2-305(17) except Bates stamp #90. The email body should be released, and the attachment is appropriately classified under Utah Code 63G-2-305(17). Emails with legislative bills are protected under 63G-2-305(20). Seconded by Ms. Yates.

**Vote:** Yea: 7. Nay 0. Mr. Biehler, Ms. Yates, Mr. Buchanan, Ms. Dubovik, Ms. Petersen, Dr. Cornwall, and Ms. Dean voted in favor of the motion.

## 7. Jeff Wetsel v. Price City Police Dept. (2022-60)

**Motion** by Mr. Buchanan to dismiss appeal 2022-60 as the parties are not in attendance and have abandoned the appeal. Seconded by Mr. Biehler.

**Vote:** Yea: 7. Nay 0. Mr. Biehler, Ms. Yates, Mr. Buchanan, Ms. Dubovik, Ms. Petersen, Dr. Cornwall, and Ms. Dean voted in favor of the motion.

## **Business Part 2:**

Motion by Ms. Petersen to approve the November minutes. Seconded by Ms. Dean.

**Vote:** Yea: 5. Nay 0. Abstain 2. Mr. Biehler, Mr. Buchanan, Ms. Dubovik, Ms. Petersen, and Ms. Dean voted in favor of the motion. Ms. Yates and Dr. Cornwall abstained.

## **Cases in District Court, report**

Mr. Swan provided an update to the Committee regarding a Supreme Court case.

Committee members' attendance polled for next meeting, format and quorum verification A quorum was confirmed for January 19, 2023.

This is a true and correct copy of the December 2022, SRC meeting minutes, which was

approved on January 19, 2023. An audio recording of this meeting is available on the Utah Public Notice Website.

## X /e/ Rebekkah Shaw